

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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February 3, 2004

FROM: **DAVID H. SLAUGHTER**, Director
Real Estate Services Department

G. DANIEL OJEDA, Director
Architecture and Engineering Department

SUBJECT: **EASEMENTS ON COUNTY-OWNED PROPERTY IN SAN BERNARDINO**

RECOMMENDATIONS:

1. Find that granting an easement to the City of San Bernardino (City) on County-owned property (APN 0147-081-06) located at the former County Medical Center (CMC) site at the northwest corner of Gilbert Street and Perris Hill Road in the City of San Bernardino at no cost is in the public interest and will not substantially conflict or interfere with the use of the property by the County.
2. Authorize the Chairman of the Board to execute the Grant of Easement.

BACKGROUND INFORMATION: On April 1, 2003, the Board of Supervisors approved Amendment No. 2 to the Purchase and Sale Agreement and Joint Escrow Instructions (Amendment) in conjunction with the sale of approximately 12 acres of the former CMC site to the San Bernardino Joint Unified School District (District). The 12-acre parcel was sold for development of a new elementary school at the northwest corner of Gilbert Street and Perris Hill Road. In Amendment No. 2 the County agreed to cooperate with the District and other third party entities in determining and establishing necessary easements with respect to relocating an existing 20-inch underground water pipeline that runs through the 12 acres sold to the District.

The pipeline belongs to the City's San Bernardino Municipal Water Department (SBMWD) and has existed on the CMC site for several decades. This pipeline is used to transport potable water to customers of SBMWD and serves as a back-up source of water for County-owned facilities on the adjacent parcels. Construction of the new Anton Elementary School has necessitated the relocation of a segment of the pipeline outside the now District-owned property and onto adjacent County-owned property. The District will pay for costs associated with the relocation. An easement on adjacent County-owned property is necessary so the pipeline can be constructed and maintained by SBMWD. These underground water distribution system improvements will also facilitate the future development of the remaining County-owned property at the former CMC site. This easement will not conflict or interfere with the County's use of the property. The grant of easement is authorized by Government Code Section 25526.6 upon making the findings as set forth in Recommendation No. 1.

REVIEW AND APPROVAL BY OTHERS: This item has been reviewed by County Counsel (Charles S. Scolastico, Deputy County Counsel, 387-5481) on January 8, 2004 and the County Administrative Office [Daniel R. Kopp (387-3828) and Lynn Chacon (387-5426), Administrative Analysts] on January 23, 2004.

FINANCIAL IMPACT: There is no cost associated with the granting of this easement.

COST REDUCTION REVIEW: The County Administrative Office has reviewed this agenda item, concurs with the department's and RESD's proposal, and recommends this action based on the need for underground water distribution system improvements on the former CMC site and the benefit of these improvements to the remaining County-owned land and the adjacent owners and customers of SBMWD.

SUPERVISORIAL DISTRICT: Fifth

PRESENTER: David H. Slaughter, Director, 387-7813

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Record of Action of the Board of Supervisors

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